IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CRIMINAL REVISION PETITION NO. 465/2006
SHYAM SUNDER Vs. STATE OF RAJASTHAN & ANR.

DATE: 26.02.2007.

HON'BLE MR. K.S. RATHORE, J.

Mr. Ashish Sharma for the petitioner.
Mr. B.S. Chhaba, Public Prosecutor for the State.

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The present criminal revision petition under Section 397 r/w Section 401 Cr.P.C. is preferred by the petitioner against the order dated 17.04.2006 passed by the Family Court, Ajmer in Criminal Case No. 105/2005, whereby while allowing the application of the petitioner moved under Section 127 Cr.P.C., the order dated 05.03.2004 has been discontinued by which the maintenance of Rs. 1,000/- per month was granted in favour of the respondent No.2 Chandra Shekhar, son of the petitioner, but the effect of this order was given from the date of the order itself i.e. 17.04.2006.

Having considered the rival submissions of the respective parties and after going through the impugned order dated 17.04.2006, I find no illegality or error apparent on the face of the record and the impugned order requires no interference by this Court.

Consequently, the revision petition fails and the same is hereby dismissed.

The petitioner is directed to deposit the arrears of the maintenance due on the date of passing of the order by the Family Court, Ajmer and for depositing all the arrears, one month's time is granted. Till then, execution proceedings shall not take place and in case the petitioner fails to deposit the entire amount within a period of one month, then the Family Court, Ajmer shall proceed further.

(K.S. RATHORE),J.

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